

Amendment dated 11/03/2005
Response to Office Action mailed 08/03/05

Application No. 09/868,708

REMARKS

Claims 1-18, 21, and 23-24 are pending with this paper. Claims 1-18, 21, and 22 are rejected. Applicant is adding claims 23-24 and is canceling claim 22.

Applicant acknowledges the withdrawal of the rejection of claims 1-20 under the judicially created doctrine of obviousness-type double patenting.

New Claims

Applicant is adding claims 23 and 24, which are supported by the specification as originally filed, e.g., page 1, line 30 – page 2, line 2.

Claim Rejections – 35 U.S.C. § 102

Claims 1-18, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 97/44766 (Cook).

Regarding claim 1, Applicant is amending claim 1 to include the feature of “a synchronization source code segment comprising source code for synchronizing events in the presentation utilizing a time based model, for presenting, to a user, a selected predetermined list of actions during each time period to perform a simulated company task for a simulated business activity, and for receiving a user selection from the selected list of actions during each said time period, wherein the simulated business activity is partitioned into at least two time periods.” (Emphasis added.) The amendment is supported by the specification as originally filed. For example, the present patent application discloses (Page 38, top entry of table.):

Run a company task Time based simulation where student "chooses own adventure". Each period the student selects from a predetermined list of actions to take. Developed on SBPC as a simplified version of the BDM manage task.

The Office alleges that Cook anticipates (Page 3.):

... a synchronization source code segment comprising source code for synchronizing events in the presentation utilizing a time based model for presenting to a user, a selected predetermined list of actions during each said time period; and (Cook, p 1, l 5-8; p 7, l 11-16; p 1, l 5-8; p 7, l 19-29; Examiner's Note (EN): computers are synched with an internal clock; virtual tutor provides interaction ...

The Office Action further alleges (Page 7):

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Cook teaches an "interactive, adaptive, and individualized computer assisted instruction (Cook, Abstract). It is fully understood by the computer science community, that a computer has a master clock and all source code instructions are synchronized with this master clock when the program is implemented

While the prior art merely teaches that computer instructions of a computer program are synchronously executed with a computer clock, regardless of the functionality of the computer program. However, prior art does not even suggest partitioning a simulated business activity into different time periods. Moreover, Cook merely discloses a list of possible answers provided to the student in response to an academic question. For example, in figure 4 Cook shows a list of possible answers (e.g., choice 504 and 505) for an arithmetic problem (problem 503). Cook fails to teach anything about a simulated company task for a simulated business activity. Thus, Cook does not even suggest "a selected predetermined list of actions during each time period to perform a simulated company task for a simulated business activity."

Similarly, the Applicants have amended claim 10 to include the feature of "logic that synchronizes events in the presentation utilizing a time based model, that presents, to a user, a selected predetermined list of actions during each time period to perform a simulated company task for a simulated business activity, and that receives a user selection from the selected predetermined list of actions during each said time period, wherein the simulated business activity is partitioned into at least two time periods." Because claims 2-9 and 21 ultimately depend from claim 1 and claims 11-18 ultimately depend from claim 10, claims 2-9, 11-18, and 21 are not anticipated for at least the above reasons. Applicant requests reconsideration of claims 1-18 and 21.

Applicant is canceling claim 22 without prejudice.

It is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

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Respectfully submitted,



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